

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA  
HARRISBURG DIVISION

For Dominick Pugliese )  
Plaintiff/Movant )

-v- )

UNITED STATES OF AMERICA )  
Defendant/Respondent )

Case No. 1:15-cr-182-01

28 U.S.C. § 2242 (next friend) Request for  
Habeas Corpus, Compassionate  
Immediate Release Under Cares Act

FILED  
HARRISBURG, PA

APR 27 2020

PER             
DEPUTY CLERK

COMES NOW petitioner, Dominick Burton, and enters this motion requesting immediate relief under habeas corpus, FIRST STEP ACT, SECOND CHANCE ACT, and most recently the CARES ACT.

Petitioner submits to this court he/she meets the two requirements that must be satisfied in order for such standing to be granted.

First petitioner asserts the defendant does not have reasonable access to the courts, is currently under extreme duress and thus mentally incompetent and a combination of other factors contribute to the reasons why the real party in interest cannot appear on his own behalf to prosecute this action. See e.g., United States ex rel. Toft v. Quarles, 350 U.S. 111, 13 n.3, 76 S.Ct 1100 L.Ed 8 (1955) (habeas petition brought by sister on behalf of civilian prisoner held in military prison in Korea); Massie ex rel. Kroll v. Woodford, 244 F.3d 1192, 1196 (9th Cir 2001).

Petitioner most respectfully posits that the defendant is in a military prison at Fort Dix Joint Base in violation of the Constitution. Under the FSA a "Loved One" is authorized to file such a motion on behalf of the defendant.

Defendant suffers from the following conditions: Asthma, as a result from a collapsed lung in 2005, and High Blood Pressure.

CERTIFICATE OF SERVICE

I, Dominick Burton, do declare under the penalty of perjury according to the course of Common Law that a true and correct copy of:

28 U.S.C. § 2242 (next friend) Request for  
Habeas Corpus, Compassionate  
Immediate Release Under Cares Act

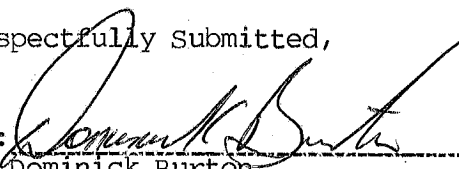
was mailed to;

Ronald Regan Federal Building  
228 Walnut Street  
Harrisburg, PENNSYLVANIA [near 17108-9998]

by United States Postal 3-day prepaid mailing service on this 23 day of  
April, 2020.

Respectfully Submitted,

By:

  
Dominick Burton

ALL RIGHTS RESERVED,  
Without Prejudice

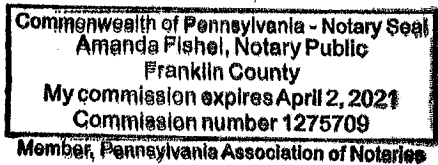
c/o Dominick Burton  
12232 Redhawk Drive  
Waynesboro, PENNSYLVANIA [near 17268]

Petitioner respectfully request Plaintiff to be designated to Home Confinement. Attorney General Barr has authorized such an action under the Cares Act, elaborating that Home Confinement is not a release from sentence but a cautionary compassionate measure to curb the spread and eliminate the possibility of a lengthy sentence becoming an effective death sentence.

State or Commonwealth Pennsylvania

County of Franklin

Signed (or attested) before me on April 23<sup>rd</sup> 2020 by Dominick Burton.



(Stamp)

Amanda Fishel  
Printed or typed name of Notarial Officer

Amanda Fishel  
Signature of Notarial Officer

My Commission Expires: April 2, 2021

See Attached  
Request

Document Type: \_\_\_\_\_

Dominick Burton  
12232 Redhawk Drive  
Waynesburg, PENNSYLVANIA [near 17268]

Ronald Regan Federal Building  
228 Walnut Street  
Harrisburg, PENNSYLVANIA [near 17108-9998]

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